

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

|                           |   |                      |
|---------------------------|---|----------------------|
| UNITED STATES OF AMERICA, | ) |                      |
|                           | ) |                      |
| Plaintiff,                | ) |                      |
|                           | ) |                      |
| v.                        | ) | Criminal Action No.  |
|                           | ) | 07-00170-01-CR-W-SOW |
| CORTEZ WILLIAMS,          | ) |                      |
|                           | ) |                      |
| Defendant.                | ) |                      |

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on May 7, 2008. Defendant Cortez Williams appeared in person and with Federal Public Defender Ray Conrad. The United States of America appeared by Assistant United States Attorney Bruce Clark.

***I. BACKGROUND***

On May 9, 2007, an indictment was returned charging defendant with possessing a firearm after having been convicted of a felony, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

The following matters were discussed and action taken during the pretrial conference:

***II. TRIAL COUNSEL***

Mr. Clark announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Chris Gilio, TFO ATF.

Mr. Conrad announced that he will be the trial counsel for defendant Cortez Williams. Aimee Edington, investigator, will assist.

### ***III. OUTSTANDING MOTIONS***

There are currently two pending motions in limine filed by defendant on February 22, 2008 (document numbers 49 and 50, dealing with convictions more than ten years old and a 1991 conviction for aggravated battery).

### ***IV. TRIAL WITNESSES***

Mr. Clark announced that the government intends to call 15 witnesses without stipulations or 6 witnesses with stipulations during the trial.

Mr. Conrad announced that defendant Cortez Williams intends to call 1 witness during the trial. The defendant may testify.

### ***V. TRIAL EXHIBITS***

Mr. Clark announced that the government will offer approximately 30 to 35 exhibits in evidence during the trial.

Mr. Conrad announced that defendant Cortez Williams will offer no exhibits in evidence during the trial.

### ***VI. DEFENSES***

Mr. Conrad announced that defendant Cortez Williams will rely on the defense of general denial.

### ***VII. POSSIBLE DISPOSITION***

Mr. Conrad stated this case is definitely for trial.

### ***VIII. STIPULATIONS***

Stipulations are likely as to prior felony convictions.

***IX. TRIAL TIME***

Counsel were in agreement that this case will take 1 1/2 to 2 days to try.

***X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS***

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed July 12, 2007, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by May 7, 2008;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, May 14, 2008;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, May 14, 2008. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

***XI. UNUSUAL QUESTIONS OF LAW***

Motions in limine on defendant's statement as to vindictive prosecution will probably be filed. There are no unusual questions of law.

***XII. TRIAL SETTING***

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on May 19, 2008.

/s/ Robert E. Larsen  
ROBERT E. LARSEN  
U. S. Magistrate Judge

Kansas City, Missouri  
May 7, 2008

cc: The Honorable Scott O. Wright  
Mr. Bruce Clark  
Mr. Ray Conrad  
Mr. Jeff Burkholder